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**PATENTS**

To: Commissioner of Patents & Trademarks

Atty. Docket No. 56150319-2

Serial/Patent No. 09/935,142

Date Mailed 2/14/2003

File Date 8/21/2001

Attorney FMG:ahf

Inventor: Anthony Craig Shurman

Title: DISPENSING CONTAINER

The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:

\_\_\_\_ Application (Utility \_\_\_\_ or Design \_\_\_\_ )      \_\_\_\_ Total Pages      \_\_\_\_ Sheets of Drawings

\_\_\_\_ Declaration and Power

☒ Transmittal Letter

\_\_\_\_ Small Entity Form

\_\_\_\_ Assignment

\_\_\_\_ Response to Office Action

\_\_\_\_ Request for Extension of Time

\_\_\_\_ Petition

\_\_\_\_ Response to Missing Parts

\_\_\_\_ Amendment

☒ IDS & Citation in Application Form

\_\_\_\_ Certified Copy of Priority Document

\_\_\_\_ Issue Fee Transmittal Form(s)

\_\_\_\_ Check(s) \$

☒ Other: 6 references cited; PTO/SB/08B Form; return receipt postcard.

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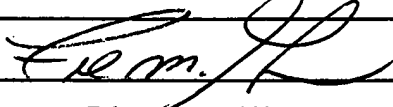
Please type a plus sign (+) inside this box → ☐


PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/935,142	
	<b>Filing Date</b>	8/21/2001	
	<b>First Named Inventor</b>	Anthony Craig Shurman	
	<b>Group Art Unit</b>	3728	
	<b>Examiner Name</b>	Luan Kim Bui	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	56150319-2

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	PTO/SB/08B Form; 6 references cited; return receipt postcard.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	
	<input type="checkbox"/> Request for Refund	
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Frank M. Gasparo, Esq.
Signature	
Date	February 14, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 2/14/2003	
Typed or printed name	Frank M. Gasparo, Esq.
Signature	
Date	2/14/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

L. Nelson  
#2/IPS  
11-1-01

1c978 U.S. PTO  
09/935142  
08/21/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anthony Craig Shurman  
Application No.: Not Yet Known  
U.S. Filing Date: August 21, 2001  
Title: DISPENSING CONTAINER

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

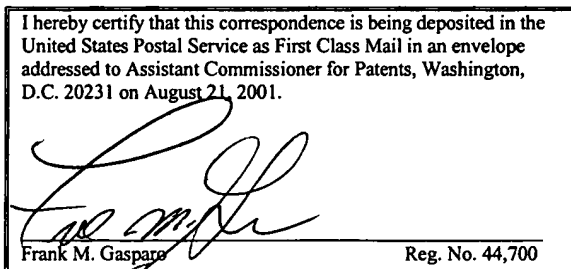
**INFORMATION DISCLOSURE STATEMENT**

**S I R:**

1. As a means of complying with the duty of disclosure set forth in 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicant hereby submit information thought to be relevant to the examination of the above-identified application. Also submitted herewith to the attention of the Examiner is a completed form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. No fee is deemed necessary with the filing of these documents. If a fee is deemed necessary, we authorize the Commissioner of Patents and Trademarks to charge Deposit Account No.: 02-0393.

Dated: August 21, 2001

Respectfully submitted,



Frank M. Gasparo  
Reg. No. 44,700  
Baker & McKenzie  
805 Third Avenue  
New York, New York 10022  
Telephone (212) 751-5700  
Facsimile (212) 759-9133

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anthony Craig Shurman  
Application No.: 09/935,142  
U.S. Filing Date: August 21, 2001  
Title: DISPENSING CONTAINER  
Group Art Unit: 3728  
Examiner: Luan Kim Bui

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Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

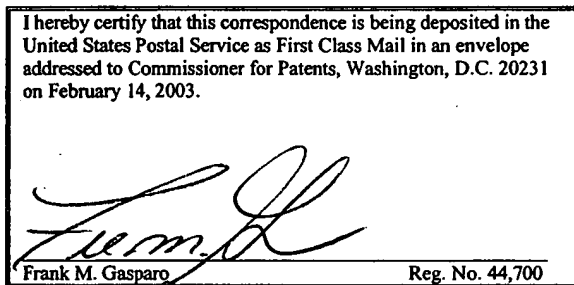
In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicant hereby bring the following materials to the examination of the above-identified application to the attention of the Examiner. The materials are listed on the attached PTO Form PTO/SB/08B. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the materials be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

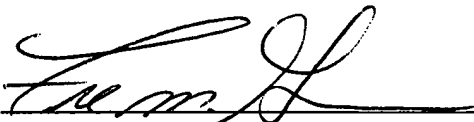
This information disclosure statement is being filed under 37 C.F.R. § 1.97(c), before the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. Copies of photographs of the cited materials are enclosed. In the photographs, Applicant includes a quarter for purposes of illustrating the size of the respective material.

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee set forth in § 1.17(p) or credit any overpayments that may be necessary to Deposit Account No. 02-0393 of Baker & McKenzie.

Dated: February 14, 2003

Respectfully submitted,



  
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March 5, 2003

Examiner Luan Kim Bui  
Group Art Unit 3728  
United States Patent and Trademark Office  
Washington, D.C. 20231

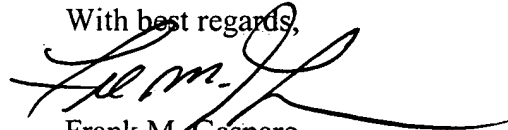
**Re:** U.S. Patent Application entitled  
**DISPENSING CONTAINER**  
Filing Date: August 21, 2001  
Serial No.: 09/935,142  
Our Ref. No.: 56150319-2

Examiner Bui:

Thank you again for allowing us the opportunity to speak with you yesterday about the above-identified patent application. As you requested, please find enclosed a copy of the Information Disclosure Statement filed with the United States Patent and Trademark Office on February 14, 2003, including copies of color photographs. We have also enclosed an actual product and an empty cigarette package.

We look forward to arranging another telephone interview with you after you have had time to review the enclosed Information Disclosure Statement.

With best regards,



Frank M. Gasparo

Enclosure